IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 18TH AUGUST 2006 / 27TH SRAVANA 1928

Bail Appl..No. 4885 of 2006

CRIME NO. 206/2006 OF ADOOR POLICE STATION, PATHANAMTHITTA DIST.

PETITIONER/ACCUSED

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1. KUNJUBAVA, AGED 33 YEARS,
   S/O.ABDUL KHADER, MAROTTICKAL HOUSE,
   VELLOORKUNNAM VILLAGE, MUVATTUPUZHA,
   ERNAKULAM DISTRICT.

2. FAISAL, AGED 31 YEARS,
   S/O.ABDUL KHADER, MAROTTICKAL HOUSE,
   VELLOORKUNNAM VILLAGE, MUVATTUPUZHA,
   ERNAKULAM DISTRICT.

BY ADV. SRI.C.C.THOMAS

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REP. BY SUB INSPECTOR OF POLICE,
ADOOR POLICE STATION, PATHANAMTHITTA DISTRICT,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR K. RAVIKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 18/08/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 4885/2006

DATED THIS THE 18TH DAY OF AUGUST, 2006

O R D E R

The petitioners are accused Nos.5 and 6, in crime No.206/2006 of Adoor Police Station, for the offence punishable under Sections 411, 413 and 379 IPC read with Section 34 IPC. A lorry, bearing registration No. KL3-9619 of the defacto complainant, was lost. On his complaint, an the investigation was conducted by the police. It was found that the body of the said lorry was removed and fitted in another lorry, bearing registration No.KL5-C-2579. On further investigation, it was revealed that the body fitting in the lorry of KL-5C-2579 was done, in the workshop of the fifth accused, the first petitioner, and the sixth accused, the second petitioner herein, the brother of the former. It was further revealed that one Chandran and Lobo were also involved. There are other case registered as well, against Chandran and Lobo.

2. After hearing both sides and considering the materials involved in this case, I direct the petitioners to

surrender before the Investigating Officer, in crime No. 206/2006 of Adoor Police Station, on 25.8.2006 between 10.30 a.m and 11.00 a.m. The Investigating Officer shall interrogate the petitioners and produce them before the competent Magistrate Court before 4.30 p.m, on the same day itself.

3. However, if the investigating Officer is of the opinion that further interrogation of the petitioners in custody is required, he may move an application before the Court below for the same, in which event, the learned Magistrate shall pass orders on merit, after hearing both sides.

4. Simultaneously, if any application(s) is/are filed by the petitioners for bail, the same shall also be considered by the learned Magistrate on merit, and orders passed, according to the law.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs